

Remarks

Applicants request reconsideration of this application in view of the foregoing amendments and the following remarks. Although the amendments are being made after a final Office Action, they place the application in condition for allowance or better condition for appeal, without requiring more than cursory review by the Examiner.

I. Status of the Claims

Upon entry of the forgoing amendments, claims 5-6 and 9-16 will remain pending in the application, with claims 5-6, 9-12 and 14-16 being withdrawn from consideration. No claims presently are being added or canceled. Claim 13 presently is being amended. Exemplary support for the amendment of claim 13 exists in Example 3 of the specification.

II. Claim 13 is Definite

Claim 13 was rejected under 35 U.S.C. § 112 for allegedly being indefinite. In particular, the Examiner alleged that the claim omits a step that evaluates the specificity of compound transport. According to the Examiner, transport of a compound across the cell membrane is “not necessarily by means of an OATP2 protein.”

Without acquiescing to the propriety of the rejection, Applicants have adopted the Examiner’s suggestion to incorporate a step that evaluates the specificity of compound transport. Accordingly, claim 13 recites the use of a “control cell that lacks OATP2 protein.” Movement of a compound across the membrane of this control cell is compared to movement of the compound across the membrane of a “cell comprising OATP2 protein.” Greater movement of a compound across the membrane of the cell comprising OATP2 protein indicates that OATP2 transports that compound.

Because the amendment to claim 13 renders the indefiniteness rejection moot, Applicants request withdrawal of the rejection.

III. Concluding Remarks


The application is now in condition for allowance, and Applicants respectfully request reconsideration of it. If the Examiner has any remaining questions or believes that

an interview would further examination of the application, she is invited to telephone the undersigned attorney.

Applicants believe that no additional fees are due with this response. If Applicants' belief is erroneous, please charge any fees required to keep this application pending to Deposit Account Number 19-3880. Additionally, if any extension of time is required to keep this application pending, Applicants hereby petition for such extension and request that any extension fees be charged to Deposit Account Number 19-3880.

Respectfully submitted,

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